

IN THE NINTH CIRCUIT COURT OF APPEALS

CASE# 13-16359

JAMES GRINOLS, EDWARD NOONAN, THOMAS MACCLERAN,

ROBERT ODDEN, KEITH JUDD, ORLY TAITZ

APPELLANTS

V

**ELECTORAL COLLEGE, U.S. CONGRESS, GOVERNOR OF
CALIFORNIA, SECRETARY OF STATE OF CALIFORNIA, BARACK**

OBAMA

APPELLEES

**MOTION TO FILE A SLIGHTLY OVERSIZED BRIEF OR
ALTERNATIVELY TO DIVIDE THE BRIEF IN TWO, WITH ONE BEING
A REPLY TO FEDERAL DEFENDANTS AND THE OTHER A REPLY TO
STATE DEFENDANTS**

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COUNSEL FOR PLAINTIFFS

**MOTION TO FILE A SLIGHTLY OVERSIZED BRIEF OR
ALTERNATIVELY TO DIVIDE THE BRIEF IN TWO, WITH ONE BEING
A REPLY TO FEDERAL DEFENDANTS AND THE OTHER A REPLY TO
STATE DEFENDANTS**

STATEMENT OF FACTS.

On March 14 2014 Appellants submitted a timely reply brief .

Counsel for Appellees has noticed that though the argument section of the brief contains allowed 6,985 words, the argument with the initial statement of facts contain a total of 7, 643 words, slightly more than the allowed 7,000 words.

Plaintiffs assert that there is a good cause for the court to allow to file a slightly oversized reply or in the alternative allow appellants to divide the reply and file two separate replies: one in response to Federal Appellees and one in response to State Appellees.

ARGUMENT

Appellants were supposed to provide a reply to two opposition briefs filed by two different groups of Appellees: Federal and State Appellees. Combined pleadings of these Appellees made up about 70 pages of pleadings that required a reply on multiple issues, so a slightly oversized reply is justified due to the large volume of combined pleadings in the Appellees briefs in this case.

Additionally, the case deals with legitimacy for U.S. Presidency, an issue of National importance, which justifies allowing a slightly oversized brief or as an alternative allowing appellants to submit two separate reply briefs of 7,000 words each: one to Federal Appellees and one to State Appellees.

Precedent cases support granting of this motion.

In *Taylor v Board of Prison terms* 238 F.3d 431 United States Court of Appeals for Ninth Circuit allowed an oversized brief "We grant Taylor's motion to file his oversized and late reply brief, and order the brief filed; we have considered it in concluding this appeal." *id*

Singleton v. Murphy United States Court of Appeals, Ninth Circuit. May 20, 2003 63 Fed.Appx. 410 2003 WL 21186546 "...Singleton's motion to file an oversized brief is GRANTED; the Clerk shall file the reply brief received on April 22, 2003...." *id* United States Court of Appeals, Ninth Circuit. May 20, 2003 63 Fed.Appx. 410 2003 WL 21186546

Paulson v. Carter United States Court of Appeals, Ninth Circuit. April 30, 2007 230 Fed.Appx. 645 2007 WL 1248154 ".Paulson's motion to file an oversized reply brief is granted...."

U.S. v. Devine United States Court of Appeals, Seventh Circuit. July 25, 1985 768 F.2d 210 2 Fed.R.Serv.3d 21 -oversized brief was allowed.

CONCLUSION

Based on all of the above **MOTION TO FILE A SLIGHTLY OVERSIZED BRIEF OR ALTERNATIVELY TO DIVIDE THE BRIEF IN TWO, WITH**

**ONE BEING A REPLY TO FEDERAL DEFENDANTS AND THE OTHER A
REPLY TO STATE DEFENDANTS should be granted**

/s/ Orly Taitz

Counsel for Appellants

03.19.2014

CERTIFICATE OF SERVICE

I, Orly Taitz, attest that I served all parties in this case on 03.19.2014 via ECF.

/s/ Orly Taitz

03.19.2014